

Exhibit A

**IN THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT
OF TEXAS HOUSTON DIVISION**

OKOLO JOSEPH AJIODO,

Plaintiff,

v.

H. E. BUTT GROCERY CO.,

Defendant.

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CIVIL ACTION NO. 4:19-cv-00237

DECLARATION OF SANDRA HERRERA

1. "My name is Sandra Herrera. I am over eighteen years of age, of sound mind, have never been convicted of a felony, and am competent in all respects to make this declaration. The facts stated herein are within my personal knowledge, based on information obtained from other persons, reasonable inquiry, and Company business records, and are all true and correct.

2. During all relevant periods set forth herein, I was employed at HEB Grocery Company, L.P. ("H-E-B" or "the Company") as Senior Partner Relations Advisor overseeing human resources matters. In this position, I am responsible for employee relations matters, including but not limited to, addressing questions and concerns related to payroll and benefits and investigating and addressing employee complaints related to alleged violations of company policies.

3. H-E-B is an independently owned grocery retailer, with stores across Texas and in Mexico. H-E-B has long valued diversity in its workforce, and is fully committed to the principle of equal employment opportunity for all of its employees. H-E-B requires all of its employees to agree to arbitrate all employment related disputes as a condition of employment with H-E-B.

4. Okolo Ajiodo submitted a signed application for employment to H-E-B on March 8, 2003. A true and correct copy of Mr. Ajiodo's application is attached to this declaration. H-E-B offered Mr. Ajiodo a position as a Customer Service Assistant, which Mr. Ajiodo accepted.

5. Mr. Ajiodo worked for H-E-B until his termination on June 24, 2017. H-E-B terminated Mr. Ajiodo for violating H-E-B's Standards of Conduct. Neither Mr. Ajiodo's race nor his national origin played any role in the decision to separate his employment.

6. Attached to this declaration is a true and correct copy of Mr. Ajiodo's signed application containing his agreement to arbitrate. This document is an H-E-B business record, which is kept by H-E-B in the regular course of business, and it was the regular course of business of H-E-B for an employee or representative of H-E-B with knowledge of the acts, events, or

conditions recorded in the record to make the record or to transmit information to be included in the record; and the record was made at or near, or reasonably soon after, the time of the acts, events, or conditions recorded. The sources of information of, and the method and circumstances of the preparation of, the attached record were in all respects trustworthy. The record attached is an exact duplicate of the original as maintained in H-E-B's files.

I declare under penalty of perjury that the foregoing is true and correct."

Executed on March 20, 2019.

Sandra A Herrera
Signature

Sandra A. Herrera
Printed Name

Exhibit A-1



H-E-B GROCERY CO.

EQUAL OPPORTUNITY EMPLOYER/DRUG FREE WORKPLACE

HOURLY EMPLOYMENT APPLICATION



PERSONAL INFORMATION

ALL QUESTIONS MUST BE ANSWERED FOR APPLICATION TO BE CONSIDERED.
ANSWERS MUST BE WRITTEN IN INK. WRITE "N/A" WHERE APPROPRIATE.

Full Name: AJIODO OKOLO JOSEPH
Last First Middle
Social Security #: 451-69-3610

Current Address: 1000 WEST COURT SEGUN TX. 78155
Number Street City State Zip
How long have you lived there? Yrs. 8 Mos. 8

Previous Address: 8811 BOONE RD. HOUSTON TX. 77099
Number Street City State Zip
How long did you live there? Yrs. 7 Mos. 7

Home Phone: (830) 386-7183 Message Phone: SAME

Are you at least 18 years old? Yes X No If no, age:
(Applicants must be at least 16 years old to be considered for employment.)

Can you submit verification of your legal right to work in the U.S.? Yes X No

Have you ever been convicted of or pled guilty, no contest or nolo contendere, or received deferred adjudication or probation for any criminal offense, other than for a minor traffic violation? Yes No X

If yes, provide date(s) and details:

(*NOTE: A conviction will not necessarily disqualify an applicant from consideration for a particular job.)

Have you ever been employed by H-E-B or one of its affiliates? Yes No X

If yes, state position:

Location: Dates Employed:

Have you made an application for employment with H-E-B or one of its affiliates within the last twelve-(12) months? Yes No X

If yes, "when" and "where":

Do you have relatives working for H-E-B? Yes No X

If yes, please list below. (This information is used to evaluate potential reporting relationships):

List Name: Relationship: Location:

PLACEMENT INFORMATION

Position applying for: 1st choice STOCKER (DAY or NIGHT)
2nd choice CASHIER
Location applying for: 1st choice SEGUN
2nd choice
Minimum salary expected: \$ 6 per hour. When could you start? ASAP

Do you desire: (circle one)

Full or Part-Time Full-Time Only Part-Time Only Temporary Summer

If hired, how long do you intend to work for H-E-B? (circle one)

0-6 mos. 6 mos. - 1 yr. 1 - 2 yrs. 2 - 5 yrs. 5 yrs.+

To help us consider you for a position that best matches your availability, please indicate the Earliest Starting Time and the Latest Finishing Time you are available to work each day.
(*Please include A.M. and/or P.M.)

Day:	Earliest Starting Time:	Latest Finishing Time:
Monday	<u>3:00 P.M.</u>	<u>6:00 A.M.</u>
Tuesday	<u>4:00 P.M.</u>	<u>6:00 A.M.</u>
Wednesday	<u>3:00 P.M.</u>	<u>6:00 A.M.</u>
Thursday	<u>4:00 P.M.</u>	<u>6:00 A.M.</u>
Friday	<u>3:00 P.M.</u>	<u>6:00 A.M.</u>
Saturday	<u>ALL DAY</u>	<u>ALL DAY</u>
Sunday	<u>ALL DAY</u>	<u>ALL DAY</u>

EDUCATION

Circle highest grade completed

Elementary	5 6 7 8
High School	9 10 11 <u>12</u>
College	1 2 3 4
Graduate School	1 2 3 4

GED: Yes No

Technical/Specialized training:

School Name: ELIZK HIGH SCHOOL

WORK HISTORY/EXPERIENCE - BEGIN WITH MOST RECENT OR PRESENT EMPLOYER

*Include all work history, U.S. Military Service, self-employment, temporary jobs and account for all gaps in employment. Attach additional pages if necessary. Write "N/A" where appropriate.

Company Name: <u>HOUSTON WORKS</u>	Phone: <u>N/A</u>	Starting Date: <u>MAY 1997</u>	Starting Salary: <u>\$ 4.75</u> per HR	Starting position: <u>JOB TRAINING</u>
Address: <u>N/A</u>		Ending Date: <u>AUGUST 1997</u>	Ending salary: <u>\$ 4.75</u> per HR	Ending position: <u>JOB TRAINING</u>
Supervisor's Name: <u>PETER BARNETT</u>	May we contact?	Reason for Leaving: <u>SUMMER TRAINING ENDED</u>		

Company Name: <u>HOUSTON CHRONICLE</u>	Phone: <u>N/A</u>	Starting Date: <u>MAY 2000</u>	Starting Salary: <u>\$ COMMISSIONER</u>	Starting position: <u>SALES TEAM</u>
Address: <u>N/A</u>		Ending Date: <u>AUGUST 2000</u>	Ending salary: <u>\$ COMMISSIONER</u>	Ending position: <u>SALES TEAM</u>
Supervisor's Name: <u>DENNIS BLYTHE</u>	May we contact?	Reason for Leaving:		

Company Name:	Phone:	Starting Date:	Starting Salary: \$ _____ per _____	Starting position:
Address:		Ending Date:	Ending salary: \$ _____ per _____	Ending position:
Supervisor's Name:	May we contact?	Reason for Leaving:		

Company Name:	Phone:	Starting Date:	Starting Salary: \$ _____ per _____	Starting position:
Address:		Ending Date:	Ending salary: \$ _____ per _____	Ending position:
Supervisor's Name:	May we contact?	Reason for Leaving:		

Have you ever been discharged or disciplined by an employer for theft; harassment; retaliation; discrimination; disruptive behavior; using and/or possessing a weapon on company premises? YES _____ NO _____

If yes provide date(s) and details: _____

INDICATE SKILLS RELATED TO THE POSITION YOU ARE SEEKING:

Typing: 30 wpm 10 Key: Touch _____ Sight _____

Excel / Microsoft Word / PowerPoint / Access /

Other software/skills: _____

How were you referred to H-E-B?

_____ H-E-B Partner _____ Temp. Agency _____ In-Store Sign/Flyer

_____ H-E-B Jobline _____ Educational Institution _____ Other:

_____ TWC _____ Newspaper Ad, (Which Paper?) _____

PERSONAL REFERENCES

LIST 2 PERSONAL REFERENCES OTHER THAN RELATIVES OR FORMER EMPLOYERS

Name: FELICIA McPHERSON Phone #: (830) 386-7440 Name: WELLES GEPSON Phone #: (830) 386-7451

Agreement

I certify that the foregoing statements are true and correct to the best of my knowledge and belief and hereby grant H-E-B permission to verify such information. I understand that any misstatement, false statement, omission or incomplete response on this application or at any time during the selection process, including interviews, tests, etc., may be considered as sufficient reason for rejection of my application or for dismissal if discovered after my employment. I authorize any of the persons or organizations referenced in this application to give H-E-B any and all information concerning my previous employment, education, or criminal or credit background at anytime during my tenure of employment or any other information with regard to the subjects covered by this application, and I release all such parties from all liability from any damages or claims that may result from furnishing such information to H-E-B. I further agree and understand that a criminal background check may be conducted before and/or after I am hired and that the existence of a criminal background may result in the rejection of my application or if hired, in the separation of my employment with H-E-B. I also understand that the position for which I am applying may require a substance abuse screen. If I am employed, I agree to abide by and comply with all rules of the company. I further understand and agree that I, like H-E-B, can terminate my employment at any time with or without cause or notice and this agreement cannot be altered or modified.

Agreement to Arbitrate

H-E-B and I hereby agree to submit any controversy or claim arising out of or relating to my hiring, employment, benefits, and/or separation of employment or any occupational or on-the-job injury/illness to, and resolved exclusively by, final and binding arbitration under the Federal Arbitration Act to be administered by the American Arbitration Association (AAA) or other mutually agreed to arbitrator, pursuant to the AAA's National Rules for the Resolution of Employment Disputes. The standard of review to be applied to the arbitrator's findings of fact and conclusions of law will be the same as that applied by an appellate court reviewing a decision resulting from a bench trial.

Date: 3-8-03 Signature: [Signature]